

Minnesota Environmental Quality Board

ORDER ADOPTING RULES

Adoption of Rules Governing Environmental Review of Large Energy Facilities in Proceedings before the Public Utilities Commission, Minnesota Rules, Chapter 4410 and Technical Amendments to the Power Plant Siting Rules, Minnesota Rules, Chapter 4400

WHEREAS:

1. All notice and procedural requirements in Minnesota Statutes, chapter 14, Minnesota Rules, chapter 1400, and other applicable law have been complied with. Proposal of the rules was authorized by the Environmental Quality Board at its meeting on March 20, 2003, and a quorum was present.
2. The Minnesota Environmental Quality Board published Notice of Intent to Adopt Rules Without a Public Hearing in the State Register on May 19, 2003. More than 25 persons requested a public hearing. Notice of Public Hearing was published in the State Register on July 21, 2003. A public hearing was held on September 4, 2003.
3. The Minnesota Environmental Quality Board adopts the Administrative Law Judge's Report dated October 31, 2003, and incorporates the Report into this Order.
4. The rules are needed and reasonable.
5. The rules were adopted by the Board at its meeting on November 20, 2003, a quorum was present, and the undersigned was authorized to sign this order.

IT IS ORDERED that the above-captioned rules, in the form set out in the Revisor of Statutes draft, file number AR3410, dated November 12, 2003, are adopted pursuant to authority vested in the Minnesota Environmental Quality Board by Minnesota Statutes, section 116C.04, subds. 2(b) and 2(c), and section 116D.04, subds. 4a and 5a.

November 20, 2003

Robert A. Schroeder, Chair
Minnesota Environmental Quality Board